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Attorneys for Defendant  
JOSEPH McELROY

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	NO. CR S-05-167-DFL
	)	
Plaintiff,	)	
	)	STIPULATION VACATING TRIAL
v.	)	CONFIRMATION HEARING AND TRIAL
	)	DATE, SCHEDULING STATUS
JOSEPH McELROY,	)	CONFERENCE AND EXCLUDING TIME;
	)	PROPOSED ORDER
Defendant.	)	
	)	
_____	)	Judge: Hon. David F. Levi

Plaintiff United States of America and Defendant JOSEPH McELROY, through their respective attorneys, hereby stipulate and agree to vacate the current trial confirmation hearing and jury trial dates, and schedule a status conference in this matter for July 14, 2005, at 10:00 a.m. The parties have met and conferred regarding this case and the discovery released to date shows that the underlying events alleged in the indictment involve activities in the United States, Canada, and the United Kingdom. The defense needs additional time to investigate these activities.

The parties further stipulate and agree that the time period from June 7, 2005, to July 14, 2005, be excluded under the Speedy Trial Act,

1 18 U.S.C. §3161(h)(8)(B)(iv) and Local Code T4, because the failure to  
2 grant such a continuance would deny counsel for the defendants the  
3 reasonable time necessary for effective preparation, taking into  
4 account the exercise of due diligence.

5 Dated: June 7, 2005

Respectfully submitted,

6 MCGREGOR W. SCOTT  
United States Attorney

QUIN DENVIR  
Federal Defender

7  
8 /s/ Kenneth J. Melikian  
9 KENNETH J. MELIKIAN  
Assistant U.S. Attorney

/s/ Daniel J. Broderick  
DANIEL J. BRODERICK  
Chief Assistant Federal Defender

10 Attorneys for Plaintiff  
11 UNITED STATES OF AMERICA

Attorneys for Defendant  
JOSEPH McELROY

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ) NO. CR S-05-167-DFL  
Plaintiff, )  
v. ) ORDER VACATING TRIAL CONFIRMATION  
JOSEPH McELROY, ) AND JURY TRIAL DATES AND  
Defendant. ) SCHEDULING STATUS CONFERENCE  
Judge: Hon. David F. Levi

Pursuant to the stipulation of the parties, filed on June 7, 2005,  
IT IS HEREBY ORDERED that the trial confirmation and jury trial dates  
presently scheduled in this case are vacated, and a status conference  
is scheduled for July 14, 2005, at 10:00 a.m. IT IS FURTHER ORDERED  
that, for the reasons stated in the stipulation, the time period from  
June 7, 2005, to July 14, 2005, be excluded under the Speedy Trial Act,  
18 U.S.C. §3161(h)(8)(B)(iv) and Local Code T4, because the failure to  
grant such a continuance would deny counsel for the defendants the  
reasonable time necessary for effective preparation, taking into  
account the exercise of due diligence.

Dated: June 9, 2005

  
DAVID F. LEVI  
United States District Judge